

# Norway

Last update: April 2013

## PART 1 – NATIONAL FRAMEWORK

### Overview

National social dialogue	Principal Level of Collective Bargaining		National and industry	
	Workplace Representation		Union	
	Board-level Representation		Yes (state-owned and private enterprises)	
National worker representation	Norway has a long tradition of incomes policy cooperation, not only in relation to wage settlements but also through the inclusion of social partner organisations in public deliberative committees and in political decision-making relevant to working life. The dominant form of collective bargaining in Norway is a two-tier system of negotiations where national agreements are supplemented by negotiations and agreements at enterprise level. The main channel of employee representation at workplace level is trade union representatives (shop stewards). The Norwegian legal framework also provides employees with a right to be represented on enterprise boards and in general assemblies.			
Principal legal documents on H&S	Working Environment Act of 2005, as subsequently amended (last by the Act of 14 December 2012 No.80). The Working Environment Act applies to all employees, with the exception of seafaring and fisheries, which are regulated by separate regulations.			
Public authorities on H&S	Working environment and safety work is organised under the Working Environment and Safety Department in the Ministry of Labour. The operative supervisory authority rests with the Labour Inspection Authority and the Petroleum Safety Authority Norway.			
Employers' obligations on H&S	The main responsibility for a satisfactory working environment lies with the employer. In order to safeguard the employees' health, environment and safety, the employer shall ensure that systematic health, environment and safety work is performed at all levels of the undertaking. Enterprises are required to have safety delegates and working environment committees, and all enterprises are required to have a health service when so necessitated by risk factors in the undertaking.			
Worker representative bodies on H&S	Employees have both the right and obligation to participate in activities to ensure a satisfactory working environment. In addition, there are several important roles that ensure employee representation on this field: safety delegates must be elected in businesses as of 10 employees; a Working Environment Committee (AMU) may be established if the enterprise has at least 20 employees and one of the parties requires it. This committee must have equal numbers of members from management and the employees. All enterprises with at least 50 employees must establish an AMU.			
Organisation of the social dialogue on H&S issues within the country	Actors involved		Their role	Scope of influence
	Confederations and federations on both side ( 5 employers and 4 employees confederations)		inform, consult, negotiate, co-decide	enterprise, territory, sector
	Labor Ministry		inform, consult, negotiate, co-decide	enterprise, territory, sector
	Labor Inspection		inform, consult, negotiate, co-decide	enterprise, territory, sector
Specialized H&S bodies on regional, sectorial or another level	Name	Setup conditions	Composition	Role and functions
	Regional safety delegates	In building and construction sector, cleaning sector & hotels and restaurant sector.	The regional safety representatives are employed by the trade union federation: regional safety representatives for building activities are appointed by the Norwegian United Federation of Trade Unions; those for construction activities	Based on the Working environment Act, the regional safety representatives work at the workplaces that have not elected safety representatives or established working environment committees.

			are appointed by the Norwegian Union of General Workers. The trade union federations notify the Fund Board of who has been appointed. Regional safety representatives function full-time and are appointed for four years.	
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## PART 2 – ENTERPRISE LEVEL: ORGANISATION OF SOCIAL DIALOGUE AND WORKERS' PARTICIPATION ON H&S AT WORK

<b>General organisation and role on H&amp;S issues</b>	<p>Two different systems exists regarding employee representation on H&amp;S: one based on the Working Environment Act (safety delegates and H&amp;S committee); and the other based on the main collective agreement (union representatives). Based upon the Working Environment Act, there are two important roles that ensure employee representation on this field:</p> <ul style="list-style-type: none"> <li>- Safety delegates: they represent the employees in all matters that are relevant to the working environment. They need to be consulted throughout the planning and implementation of measures for the work environment and occupational health and safety issues;</li> <li>- The Working Environment Committee (AMU): a body composed of both employers' and employees' representatives that concerns itself with matters relevant to the occupational environment.</li> </ul> <p>Moreover, health and safety personnel (BHT) are professionals providing support and suggestions to enterprises in monitoring the working environment. They are either directly employed by the enterprise or by an undertaking health and safety enterprise from which the enterprise buys services. Certain industries are at greater risk than others, and are required to have associated health and safety personnel.</p>
<b>Interaction of H&amp;S representation with the general representation of workers</b>	<p>Union representatives and safety delegates both take part in the working environment committees, as the various duties of these committees include considering questions in other areas such as rationalisation schemes, work processes and working time arrangements. Moreover, works councils are compulsory in enterprises with more than 100 employees. They are based on central collective agreements.</p>
<b>Worker representation bodies on H&amp;S at work</b>	
<i>Implementation of worker representation in H&amp;S on enterprise level</i>	all workers
<i>Thresholds of implementation</i>	<p>Safety delegates must be elected at all undertakings subject to the Working Environment Act. At undertakings with less than 10 employees, the parties may agree in writing upon a different arrangement or agree that the undertaking shall not have safety representatives. A Working Environment Committee (AMU) may be established if the enterprise has at least 20 employees and one of the parties so requires. All enterprises with at least 50 employees must establish an AMU. Some sectors have lower thresholds according to their collective agreements.</p>
<i>Role of the trade unions</i>	<p>Union representatives provide the most important element of workplace representation in Norway and play the main role in information and consultation, employee representation and local negotiations. They discuss, negotiate and cooperate with the employers. Regarding H&amp;S representation, it might occur that the safety delegate is appointed by the trade union representing the majority of the employees in the enterprise.</p>
<i>Composition, mode of nomination or election of members</i>	<p>The Working Environment Committee (AMU) must have equal numbers of members from management and the employees. In addition, those responsible for health and safety in the enterprise should also be on the committee, but with no voting right. Representatives of the employer and of the employees shall be elected alternately as chairman of the committee. Regulations require that a safety representative or, where</p>

	appropriate, a senior safety representative, shall be a member of the AMU. The rest of the members are elected by a majority vote, or the local unions may agree upon proportional representation or that the union(s) appoint the rest of the members representing the workers. As a general rule, the safety delegate is elected by all the workers, or otherwise appointed by the trade union representing the majority of them. Safety delegates are appointed for two years.	
Area of competencies	The working environment refers to the quality of working conditions (protect workers from physical and mental injuries).	
Functions	Inform, consult, negotiate, control. The Work Environment Committee is both a consultative and a decision-making body; it rules on issues relating to working conditions. It may decide that the employer must implement specific measures, if it feels it is necessary in order to protect the health and lives of workers.	
Rights of workers' representatives on H&S		
Right of withdrawal, of production stop in case of immediate danger	Yes	
	Safety delegates have the right to halt dangerous work on his/her initiative. Work may be halted until the Labour Inspection Authority has decided whether work may continue. The safety representative is not liable for any loss suffered by the undertaking	
Right to conduct surveys	Yes	
	N/A	
Right to require external assessments	Yes	
	N/A	
Right to lodge an appeal	Yes	
	The Labour Inspection Authority and the Petroleum Safety Authority Norway may, if necessary, enforce compliance to the regulations on the working environment by imposing overrun penalties. If the order is not complied with or an imminent risk to life and health are deemed to exist, the supervisory authorities can close down enterprises in whole or in part.	
Right to receive training	Yes	
	Safety delegates are entitled to training in occupational health and safety. The employer is responsible for the costs of training.	
	Amount of training	One week basic training and if needed training on special topics
	Frequency of training	N/A
Allocated time during working hours to conduct their role	Training providers	
	Both enterprise and trade unions	
Protection against sanctions, dismissals in the frame of their mandate	Yes	
	Safety representatives shall be allowed the time necessary to perform their duty in a proper manner. As a general rule these duties shall be performed within normal working hours.	
Link and the nature of the relations between the employee representatives and the trade unions	Yes	
	The safety representative is not liable for any loss suffered by the undertaking.	
Link and the nature of the relations between the employee representatives and the trade unions		
Safety delegates are supported by the trade union in discussing, negotiating and cooperating with the employers. The regional safety delegates are employed by the trade union with the exception of the regional safety representatives in cleaning and hotel/restaurant sector. They are employed by the Labour Inspectorate (but they are independent of the Inspectorate's normal activities).		

## PART 3 – ASSESSMENT OF THE SOCIAL DIALOGUE AND WORKERS' PARTICIPATION IN THE COUNTRY

### Evolution

Significant changes within the various instruments on H&S issues during the last 5 years	Yes	
	<i>Objectives of these changes</i>	Appointment of regional safety delegates in new sectors, like the cleaning and hotels and restaurant sector.
	<i>Management of these changes</i>	Numerous new provisions in the Working Environment Act., for example connected to social dumping.
	<i>Effects on the improvement or deterioration of the handling of these issues</i>	Too early to say
Assessment of the achievements on H&S issues through social dialogue	Improving	
	<i>Some important milestones</i>	The agreement on inclusive working life – strengthen the tripartite cooperation at all levels.

### Perspectives to achieve a good social dialogue and workers' participation on H&S issues

Missing factors	New forms of organizing the working life (small enterprises, subcontractors and franchise) represent challenges for example in relation to the organization of workers. Regulations are not always adapted to this new reality.
Existing key success factors	Long tradition on social dialogue based on the Working Environment Act and agreements; working place democracy; broad participation from workers and strong unions.

## PART 4 – APPENDICES

### Glossary

<b>AML</b>	Work Environment Act
<b>AMU</b>	Working Environment Committee

### Interesting links

<http://www.arbeidstilsynet.no> (The Norwegian Labour Inspection Authority ("Arbeidstilsynet"));  
<http://www.regjeringen.no> (Ministry of Labour)

### Sources

Trade union contacts	Confederation of trade unions	Svensli Marianne
Other	<ul style="list-style-type: none"> <li>– <a href="http://www.worker-participation.eu">http://www.worker-participation.eu</a></li> <li>– Questionnaire reply</li> <li>– EU OSHA</li> <li>– Working environment act</li> </ul>	